



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

**MAY 22 2015**

CERTIFIED MAIL No. 7012 1640 0001 2190 8448  
RETURN RECEIPT REQUESTED

Mr. Eric Schooler  
President  
Collins Pine Company  
1618 SW First Avenue, Suite 500  
Portland, Oregon 97201-5706

Dear Mr. Schooler:

The Collins Pine Company ("Collins Pine") operates a biomass-fired electric generating facility at 500 Main Street, Chester, CA, California (the "Facility"). The Facility is under the primary jurisdiction of the Northern Sierra Air Quality Management District (the "District"). For the purpose of determining whether the Facility is in compliance with its District permits, Prevention of Significant Deterioration of Air Quality ("PSD") requirements, federal New Source Performance Standards ("NSPS") requirements, federal National Emission Standards for Hazardous Air Pollutants ("NESHAP") requirements, and other requirements of the Clean Air Act, 42 U.S.C. §§ 7401-7671q ("CAA" or the "Act"), Collins Pine is hereby required, under authority of Section 114 of the Act, 42 U.S.C. § 7414, to submit the information and documents to the U.S. Environmental Protection Agency, Region 9 ("EPA"), described below. This Information Request is a follow up to our Information Request issued to Collins Pine in August 2014 pursuant to Section 114 of the Act. Provide the following information and documents:

1. Collins Pine received a PSD permit for construction of the Facility in August 1984. Identify each "steam generating unit" operational at the Facility at any time since 1980, and indicate the precise date (by day, month, and year) that construction commenced on each and every one of them consistent with the definition of "commencement of construction" set forth in the New Source Performance Standard ("NSPS") program, 42 U.S.C. § 7411. For each unit, describe in detail why you chose the date you identified for commencement of construction. A "steam generating unit" is generally defined under the NSPS as "a device that combusts any fuel or byproduct/waste and produces steam or heats water or heats any heat transfer medium."
2. Collins Pine operates one or more drying kilns at the Facility. Identify each drying kiln at the Facility and identify the precise date (by day, month, and year) that construction commenced on each and every one of them consistent with the definitions "commenced" and "construction" set forth in the Prevention of Significant Deterioration program. *See* 40 C.F.R. § 52.21(b)(8) and (9). For each unit, describe in detail why you chose the date you identified for commenced construction.
3. Provide complete copies of each and every contract covering construction (including on-site preparation) and/or purchase for each "steam generating unit" and drying kiln identified in response to Requests #1 and #2, including contracts for any sub-components or portion thereof.



4. State when actual on-site physical preparation for construction and actual construction of each steam generating unit and drying kiln identified in response to Requests #1 and #2 began, describe the nature of the initial work, and provide copies of any documents evidencing commencement of actual on-site physical preparation for construction and actual construction of each steam generating unit and/or drying kiln.
5. In response to Request #9 of EPA's August 28, 2014, Clean Air Act Section 114 Information Request, Collins Pine was required to provide in chart form a list of each and every capital project with a cost of more than \$50,000 that began actual construction after January 1, 2000. Requests #10-12 of that Information Request required the submittal of various information for each project identified in response to Request #9.

A November 2006 Board of Directors meeting summary provided in response to the previous Information Request references a 2005 or 2006 project to fill cracks in the boiler refractory. This project was not identified or described in the original response to Request #9. Therefore, Collins Pine shall fully describe this project and provide a full response to Requests #10-12 for this project. Collins Pine shall also and identify, fully describe, and provide a full response to Requests #10-12 for any other refractory crack-filling or refractory tile replacement projects that occurred from January 1, 2000 to the present at any "steam generating unit" at the Facility, notwithstanding the capital costs for such projects.

6. EPA is aware of information indicating that Collins Pine has been burning fuel other than "wood, bark, and wood residues" in the past five years. Provide the following information and responses for fuel burned at the Facility since January 1, 2010:
  - a. Has Collins Pine burned at its Facility one or more fuels that do not fall under the category of "wood, bark, and wood residues" during this period?
  - b. If Collins Pine answered 'yes' to Request 6.a, identify with specificity each and every type of fuel burned other than "wood, bark, and wood residues", including but not limited to, yard debris, municipal waste, almond hulls, other ag waste (and describe what it is), or any other alternative fuel or biomass waste; and
  - c. If Collins Pine answered 'yes' to Request 6.a, in chart form, list each type of fuel burned identified in response to Request 6.b, identify or estimate how much of the fuel was burned in pounds per day since January 1, 2010, identify the source of the fuel, describe the composition of the fuel with as much detail as possible, and provide all contracts and purchase orders for the purchase and delivery of the fuel.
7. In Collins Pine's response to the prior Information Request, although requested under Request #12, Collins Pine failed to provide "daily and monthly total and lb/MMBTU mass emissions for NO<sub>x</sub>, SO<sub>2</sub>, CO, PM, and PM<sub>10</sub>, and average opacity, including all supporting calculations, log sheets, continuous emissions and opacity monitoring system data, and measurements used to determine emissions" for the 10 years prior to the earliest identified project in response to Request #9. Request #12 further required that "if spreadsheets are used to calculate emissions, provide a formula for each column in the spreadsheet."



Consistent with Collins Pine's ongoing obligation to have fully responded to this earlier request, which it is still outstanding, Collins Pine shall provide this requested data and information in a chart form for the period from January 1, 2000, to the present.

Collins Pine shall submit its response to this request postmarked no later than Friday, June 19, 2015. Collins Pine must provide copies of all responsive documents as PDF files with optical character recognition (i.e., searchable). Collins Pine must provide all data in electronic chart format (Microsoft Excel 2007 compatible) that allows for data to be used in calculations. The documents shall be chronologically organized by each information request identified above and be BATES stamped. If Collins Pine has no documents responsive to an individual information request, Collins Pine must so state in its written response. Collins Pine's response must be signed by a responsible corporate official of Collins Pine. Collins Pine must submit responsive documents on a disk (2 copies as CD or DVD media) along with a cover letter that includes Collins Pine's written responses to the requests via certified mail with return receipt requested to the following address:

Ms. Kathleen H. Johnson  
Director, Enforcement Division (ENF-1)  
U.S. Environmental Protection Agency  
75 Hawthorne Street  
San Francisco, CA 94105  
Attn: Mark Sims (ENF-2-1)

Please be advised that under Section 113(a) of the Act, failure to provide the information required by this letter may result in an order requiring compliance, and order assessing an administrative penalty, or a civil action for appropriate relief. In addition, Section 113(c) of the Act provides for criminal penalties for knowingly making any false statements or omission in any response required under the Act. EPA may also seek criminal penalties from any person who knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of EPA or in relation to or contemplation of any such matter or case. *See* 18 U.S.C. § 1519. The information provided by you may be used by the United States in administrative, civil, or criminal proceedings.

You may, if you desire, assert a business confidentiality claim on behalf of Collins Pine covering part or all of the information provided to EPA in response to this letter. Any such claim for confidentiality must conform to the requirements set forth in 40 C.F.R. § 2.203(b). You are advised that certain information may be made available to the public pursuant to 42 U.S.C. § 7414(c) and 40 C.F.R. § 2.301, notwithstanding a claim that such information is entitled to confidential treatment. If no claim of confidentiality is received with your reply, the information may be made available to the public without notice to Collins Pine.

If Collins Pine seeks to withhold any documents based on a claim of attorney-client communications privilege or the attorney work product doctrine in its response to this information request, provide a privilege log for each document containing the following information:

1. The date, author(s), every individual to whom the document was originally sent, every individual who subsequently acquired the document, the purpose for which the document was

sent to or obtained by those individuals, and the employment titles of the authors and recipients;

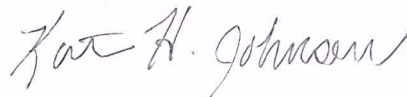
2. The subject matter of the document;
3. The privilege claimed for the document and all facts supporting the claim of privilege;
4. The primary purpose(s), including any business purposes, for which the document was made;
5. The question(s) in EPA's information request that the document is responsive to; and
6. All facts contained in the document that are responsive to a question in EPA's 114 letter.

This information request is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act because it is not the "collection of information" within the meaning of 44 U.S.C §§ 3502(3) and 3518(c)(1), since it is being directed to fewer than ten persons or entities and is being issued during the conduct of an investigation involving the EPA against specific individuals or entities. *See also* 5 C.F.R. §§ 1320.3(c) and 1320.4.

If you anticipate being unable to respond fully to this request within the time period specified, you must submit a sworn declaration by a responsible corporate official within ten (10) calendar days after your receipt of this letter, specifying what information will be provided within the time specified, describing what efforts have been/are being made to obtain other responsive information and providing a detailed schedule of when such other responsive information can be provided. Upon receipt and based upon such declaration, EPA may extend the time in which responsive information must be provided. Also, please contact us if you determine that a full response to a particular request would require an extremely large amount of documents to be provided in response. Based upon such notification, EPA may modify the method of production or scope of documents required to be produced.

If you have any questions regarding this request, please contact Mark Sims of my staff at (415) 972-3965, or have your attorney contact Ivan Lieben at (415) 972-3924. Thank you for your cooperation in this matter.

Sincerely,



Kathleen H. Johnson  
Director, Enforcement Division

cc: Ms. Gretchen Bennitt (Northern Sierra AQMD)  
Mr. Chris Verderber (Collins Pine)